

**FREDERICK COUNTY LIQUOR BOARD**  
***Public Meeting Minutes***  
***Monday, February 6, 2012***

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Those Present: Mr. James E. McClellan, Chairman  
Mr. Charles R. Cline, Board Member  
Mr. Richard E. Zimmerman, Board Member  
Mrs. Linda B. Thall, Sr. Assistant County Attorney  
Ms. Kathy L. Vahle, Administrator  
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector  
Mrs. Sandra Rees, Administrative Specialist IV  
Mrs. Penny Bussard, Administrative Specialist IV

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A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman McClellan.

1. **Griff's Landing** – Mrs. Vahle stated that there was a shooting outside of this establishment but the Police Reports have not yet been received. She has received numerous emails from persons who would like something done about the area and that location. The Board decided that this is a police matter and there is no evidence at this point of any alcohol violations. The Board agreed to consider scheduling a conference, if necessary, after more information becomes available to the Board.
2. **Senate Bill 321** – Ms. Vahle stated that this Bill would allow restaurants with Class B, Beer, Wine and Liquor licenses to remove their tables and chairs for up to four events a year. The Liquor Board would receive one week notice prior to the event. Mr. Cline expressed concern about the additional burden on the Board's inspector. Mr. Zimmerman felt that the Bill should require the Board's approval before the event takes place. Ms. Vahle will draft a letter to the Delegation and circulate the draft to the Board before it is sent.

**MOTION ONE:** Mr. Cline made a motion for Ms. Vahle to draft a letter to the Delegation, as discussed.

**SECOND:** Mr. McClellan seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline – Aye  
Mr. McClellan – Aye  
Mr. Zimmerman – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

3. **Bills Passed** – Ms. Vahle stated that the Delegation did agree to go forward with two Bills. One Bill would allow the Liquor Inspector to carry a weapon and write civil citations. The second Bill concerns alerts for the criminal history background check.
4. Decision Required: Transfer

**TRANSFER FROM:**

RE: Michael R. Acker, Todd  
P. Giannoble and  
Carson Russell III for  
the use of AH Frederick  
LLC  
t/a Holiday Inn  
Holidome & Conference  
Center  
5400 Holiday Drive  
Frederick, MD 21703  
Class B, On Sale, Beer Wine & Liquor

**TRANSFER TO:**

RE: Michael Hugh Delauter,  
John David Bailey and  
Christopher Allen Bryan  
for the use of PH  
Frederick, LLC  
t/a Holiday Inn  
Frederick Hotel &  
Conference Center  
5400 Holiday Drive  
Frederick, MD 21703  
Class B, On Sale, Beer Wine & Liquor

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the Fire Marshal, the Health Department, the Bulk Transfer Affidavit, and the Bulk Transfer Permit. The

Inspector stated that they are compliant. Mr. Burgee, the attorney for the licensees, stated that inspections have not occurred yet but they have been requested.

**MOTION ONE:** Mr. Cline made a motion for a conditional approval for February 29, 2012.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline - Aye  
Mr. Zimmerman – Aye  
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

5. Decision Required: Transfer

**TRANSFER FROM:**

RE: Thomas E. Adams,  
Michael C. Diclaudio  
and Lewis R. Walton  
for the use of RMD  
Enterprises, Inc.  
t/a Krugs Place  
906 N. East St.  
Frederick, MD 21701  
Class B, On Sale, Beer, Wine & Liquor

**TRANSFER TO:**

RE: Henry E. Burns, Jr. and  
Carla Burns  
for the use of HEB  
Alliance Inc.  
t/a Jekyll & Hyde  
Restaurant & Tavern  
906 N. East St.  
Frederick, MD 21701  
Class B, On Sale, Beer, Wine & Liquor

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the Occupancy Permit, the Fire Marshal, the

Health Department, the Taxes, the Bulk Transfer Affidavit, and the Bulk Transfer Permit. The applicants stated that the inspections have been done and the taxes have been paid. The Liquor Inspector stated that they are compliant.

**MOTION ONE:** Mr. Cline made a motion for a conditional approval for February 29, 2012.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline - Aye  
Mr. Zimmerman - Aye  
Mr. McClellan - Aye

The vote was unanimous. **Aye - 3 Nay - 0**  
**(Motion Passed)**

6. Decision Required: Transfer

**TRANSFER FROM:**

RE: Barry B. John for the  
use of Big B's LLC  
t/a Joey's Express  
430 E. Patrick St.  
Frederick, MD 21701  
Class A, Off Sale, Beer Only

**TRANSFER TO:**

RE: Debra Garner for the  
use of Big B's LLC  
t/a Joey's Express  
430 E. Patrick St.  
Frederick, MD 21701  
Class A, Off Sale, Beer Only

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicant (See attached Sign In Sheet). The pending item is the Fire Marshal report. The applicant stated that the Fire Marshal has inspected. The Liquor Inspector stated that they are compliant.

**MOTION ONE:** Mr. Zimmerman made a motion for a conditional approval for February 29, 2012.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Zimmerman - Aye  
Mr. Cline - Aye  
Mr. McClellan - Aye

The vote was unanimous. **Aye - 3 Nay - 0**  
**(Motion Passed)**

7. Decision Required: Transfer

**TRANSFER FROM:**

RE: Jenna R. Bowen,  
Veronica L. Mozzano  
and Michael J. Vinik for  
the use of SWH  
Frederick Maryland Inc.  
t/a Mimi's Cafe  
5120 Buckeystown Pike  
Frederick, MD 21704  
Class B, On Sale, Beer Wine & Liquor

**TRANSFER TO:**

RE: Michael Fay, Jennifer  
Anderson and Veronica  
Mozzano for the use of  
SWH Frederick  
Maryland Inc.  
t/a Mimi's Cafe  
5120 Buckeystown Pike  
Frederick, MD 21704  
Class B, On Sale, Beer Wine & Liquor

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the Fire Marshal and the Health Department. Mrs. Schrecengost, the attorney for the licensees, stated that the inspections were done and everything should be completed by the end of the month. The Liquor Inspector stated that they are compliant.

**MOTION ONE:** Mr. Cline made a motion for a conditional approval for February 29, 2012.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline - Aye  
Mr. Zimmerman – Aye  
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

8. Decision Required: Transfer

**TRANSFER FROM:**

RE: Norman Amtower for  
the use of  
Munich SLK, Inc.  
t/a Sunshine Liquors  
701 Motter Ave.  
Frederick, MD 21701  
Class A, Off Sale, Beer, Wine & Liquor,  
Sunday Permit

**TRANSFER TO:**

RE: Sidara Lok for the use  
of Munich SLK, Inc.  
t/a Sunshine Liquors  
701 Motter Ave.  
Frederick, MD 21701  
Class A, Off Sale, Beer, Wine & Liquor  
Sunday Permit

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicant (See attached Sign In Sheet). The Liquor Inspector stated that they are compliant.

**MOTION ONE:** Mr. Cline made a motion for approval.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline - Aye  
Mr. Zimmerman – Aye  
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

9. Decision Required: New

RE: Gopi N. Shah and Hiren  
Shah for the use of  
Thurmont Beer and Wine LLC  
t/a Thurmont Beer and Deli  
140 Frederick Rd., Unit B  
Thurmont, MD 21788  
Class A, Off Sale, Beer Only

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the final Occupancy Permit, the Retail Sales Tax license, the Fire Marshal approval and the Liquor Inspector report. The Liquor Inspector stated that he had been out twice and both times the building was locked.

**MOTION ONE:** Mr. Zimmerman made a motion for a conditional approval for February 29, 2012.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Zimmerman - Aye  
Mr. Cline – Aye  
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

10. Decision Required: Transfer

**TRANSFER FROM:**

RE: Hilda Staples for the  
use of Bar 228 LLC  
t/a Volt Restaurant  
228 N. Market St.  
Frederick, MD 21701  
Class B, On Sale, Beer Wine & Liquor

**TRANSFER TO:**

RE: Renata Bianchi for the  
use of Bar 228 LLC  
t/a Volt Restaurant  
228 N. Market St.  
Frederick, MD 21701  
Class B, On Sale, Beer Wine & Liquor

The Board held a hearing for a transfer of a license. Ms. Vahle swore in the applicant (See attached Sign In Sheet). The pending items are: the Fire Marshal and the Health Department. The applicant stated that she will follow up with the inspections. The Liquor Inspector stated that they are compliant.

**MOTION ONE:** Mr. Cline made a motion for a conditional approval for February 29, 2012.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline - Aye  
Mr. Zimmerman - Aye  
Mr. McClellan - Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

11. Decision Required: New

RE: Laurie Mills



for the use of Market Street  
Management LLC  
t/a Volt Diner  
880 N. East Street  
Frederick, MD 21701  
Class B, On Sale, Beer, Wine & Liquor

The Board held a hearing for a new license. Ms. Vahle swore in the applicant (See attached Sign In Sheet). The pending items are: the Occupancy Permit, the Fire Marshal, the Health Department and the Liquor Inspector's Report. The applicant stated that they are still under construction and are not ready to open.

**MOTION ONE:** Mr. Zimmerman made a motion for a conditional approval for June 4, 2012.

**SECOND:** Mr. Cline seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Zimmerman - Aye  
Mr. Cline - Aye  
Mr. McClellan - Aye

The vote was unanimous. **Aye - 3 Nay - 0**  
**(Motion Passed)**

12. Decision Required: approval of the Minutes of the Public Meeting for January 23, 2012 to be voted on by the Board.

The Public Meeting Minutes of January 23, 2012 were approved.

**MOTION:** Mr. Zimmerman made a motion to approve the minutes for January 23, 2012.

**SECOND:** Mr. McClellan seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Zimmerman - Aye  
Mr. McClellan - Aye  
Mr. Cline - Abstained

The vote was unanimous. **Aye – 2 Nay – 0**  
**(Motion Passed)**

13. **Wine Kitchen** – Mrs. Vahle stated she received a request from this establishment for an outside area. This outside area will be on the other side of the walkway.

**MOTION:** Mr. McClellan made a motion to approve this request

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Zimmerman - Aye  
Mr. McClellan-Aye  
Mr. Cline – Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

14. **Bodega/Cellar Door** – Mrs. Vahle stated she received a request from this establishment to offer as a part of their permanent menu as three course dinner meal that would give the option of a glass of wine for each course.

**MOTION:** Mr. Zimmerman made a motion to approve this request.

**SECOND:** Mr. McClellan seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Zimmerman - Aye  
Mr. McClellan-Aye  
Mr. Cline – Nay

The vote was unanimous. **Aye – 2 Nay – 1**  
**(Motion Passed)**

15. **Mistero** – Ms. Vahle stated this establishment requested an extension to their Conditional Approval.

**MOTION:** Mr. Cline made a motion to approve this request for an extension until February 29, 2012.

**SECOND:** Mr. Zimmerman seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Cline – Aye  
Mr. Zimmerman - Aye  
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**  
**(Motion Passed)**

Ms. Vahle stated there was a second request from Mistero for entertainment on Friday and Saturday from 10PM to 12:30AM. This request will be considered at the next Board meeting after more information about the request is obtained.

16. **New Liquor Inspector** – Mr. Zimmerman informed the Board about his meetings with Frederick City officials and the County's Delegation. One City proposal submitted to the Delegation would have allowed the use of license fees currently shared with the City to be used to fund an additional inspector. The Delegation decided not to approve this proposal at this time and instead established a committee to look into the proposal and to consider future fee increases.

**ADJOURN**

The meeting was adjourned at 10:14 am.

Respectfully submitted,

Kathy Vahle, Administrator  
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees